

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 30, 1970

9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Absent: None

The Invocation was delivered by REVEREND ELSO GARCIA, Iglesia Bautista El Salvador.

BARTON CREEK

MR. GARY BEAUBIEN, and MR. GARY BETHEL, Crockett High School students, expressed concern about Barton Creek, and reported a developer was ruining a long strip of land along the bank, destroying brush and trees, pushing them into the stream; and may have been tampering with the flood plain. They too were concerned with the protection of the flood plains and wanted Barton Creek preserved in its natural state. Reference was made to the Sierra Club plan which they enthusiastically supported. Mayor LaRue suggested that the Parks and Recreation Department present the same plan as described and portrayed to the Council on April 9th. The City Manager said a 15 minute program could be arranged at the High School if the School would set a time. The Council members explained laws regulating water courses, and stated the developer was repairing some of the bulldozing work formerly done. Mayor LaRue pointed out a main question before the Council is where to stop the purchasing of land affecting this particular area, as there are several thousand acres involved. The Recreation Plan requires about 400 acres to be purchased. The Mayor stated the City Manager would be asked to double check on this bulldozing. The Council thanked the students for their interest.

## SCOTS OF AUSTIN

MR. NICK CLASSEN and others appeared before the Council with bagpipes. They requested that Lake Austin be named "LOCH LOMOND" and that Green Shores be designated as "BONNIE BANKS" on May 3, the date of the spring festival of the Scots. The Mayor relinquished the Chair to Councilman MacCorkle who read the Resolution proclaiming May 3, 1970, as SCOTS' DAY IN AUSTIN.

## GAZEBO - SOUTH AUSTIN CIVITAN CLUB

MR. BOB KUHN, South Austin Civitan Club, invited the Council to ceremonies on May 1, 1970, 6:00 P.M. whereby the Civitan Club will convey the island off Congress Avenue at Live Oak Street back to the City with improvements and beautification, and including a Gazebo. DR. HOWARD RAMEY, President, MR. ED NORMAN, Secretary, and MR. OLIE VALDEZ, Director were introduced. With thanks, Mayor LaRue stated Council members would be present.

## AUDIT REPORT

MR. E. L. TANKERSLY, from Peat, Marwick, Mitchell and Co., called attention to the letter of recommendation relating to accounting procedures for internal control. He then made a report on the 1969-70 audit. The Council discussed the audit generally. Councilman MacCorkle noted the change in format, and stated he would like to have more specifics in some areas. Mayor LaRue commented there might be two methods of accounting and bookkeeping, and there was some difference of opinion.

The Council previously had acknowledged receipt of the Audit Report, 1969-70.

## HUMANE SOCIETY DISCUSSION OF ANIMAL SHELTER

It being 11:00 A.M., the hour set to hear members of the Humane Society, Mayor LaRue opened the discussion. MRS. CHERYL KOLE pointed out the Society is faced with over crowded conditions in caring for the dogs, stating they were receiving 100 a day. A financial crisis is facing the Society as overhead had risen, above \$5,000 a month. The City contributes \$1200; but the Society does not receive the full benefit of that as \$10.00 for animals returned to owners is subtracted from the \$1200. The Society usually receives about \$400.00. The City accepts responsibility for about half of the animals brought in by the wardens, but provides about one third of the cost. MR. JOHN DAVENPORT stated the contract executed in 1957 and amended twice does not have an escalation clause for increase of animals in the shelter, which is not adequate now. He asked the Council to consider revising the contract with the Humane Society to cover the capital investment on the Sand Beach Reserve, and the financial crisis. He asked if the City could build another run, renovate the existing shelter, help update the plant, build in an escalation clause in the contract, and that the City pay a flat fee of \$4.00 for each dog delivered. Discussion covered cats also. He suggested that the contract provide provisions for cats. Councilman

MacCorkle suggested that the Humane Society move into the area of controlling the number of cats and dogs. Councilman Johnson suggested payment of \$1200 per month without subtracting the "return to owner" fee, for basic operation and put a lower fee per dog, i. e. \$1.00 per each animal brought in by the wardens. Mr. Davenport stated they would evaluate that suggestion. Mayor LaRue stated the City Manager could come up with a solution of the every-day loss the Society is experiencing and the other item could be considered as a capital improvement item. Councilman Price asked the City Manager to look into a vaccine for cats and to check using a vaccine for cats as is used for dogs.

#### TRAFFIC ON I.H. 35

MR. DAN KILLEN appeared to discuss Traffic on I.H. 35. Due to the 72 hour posting, his request was not heard at this time, but he asked to be placed on the agenda the following week.

#### HEARING ON ORDINANCE REQUIRING BUS FRANCHISE

Mayor LaRue opened the hearing on ordinances requiring bus franchises. The City Manager requested after the Council had heard all parties, that he be given an opportunity to reanalyse the situation and that those here should know that in advance.

MR. FRANK DENIUS, representing Austin Transit Corporation introduced MR. GIOCOMA, President, American Transit Corporation; MR. HENRY DeTURNERY, Vice-President; MR. BONESFIELD, Vice-President and area manager; MR. CLYDE MALONE, local manager; and MR. BARR McCLELLAN, Attorney. Those speaking for the Austin Transit Company referred to Section 12 of their contract concerning protection of the general public against inconvenience, lack of safety, or increasing the cost of and obtaining adequate efficient mass transit service. The University calls for the use of 24 buses September 1; Austin Transit operates 33 daily, with a total of 54 including school buses. This will effect their rate base, and Austin Transit supports the ordinances under consideration. Mr. Denius pointed out Austin is facing a present danger with respect to transportation. Mr. Barr McClellan called MR. JOE CALDWELL, Associate Professor of Economics at the University of Texas who pointed out utilities were such that one could produce the services at lower overall costs than two or more, and more or less being called natural monopolistic characteristics. One utility has lower over all costs and competition does not work in that area. Mr. Caldwell discussed the economy of one utility over competitive utilities.

Councilman Johnson discussed service to all, coverage of service now existing, and noted a statement that one entity could provide service at an overall lower cost than two in competition, although this is not the situation prevailing between the two companies this morning. Councilman MacCorkle said it was hard to understand that one company had the pick of the whole field, and was apparently not able to underbid a company servicing a restricted area. Councilman Johnson and MR. CLYDE MALONE discussed extension of routes; suggested that the City should have a regulatory body with the same authority as the City has over its electricity to order extensions when it finds management has been derelict. Every state except Texas has a state agency to do that. Many cities have their City Council or some office in the City Manager's office to keep the City Utility under constant surveillance. He recommended creation of such an

office to the City Council. The Council and Dr. Caldwell discussed this local regulation:

Mr. Denius stated the company wanted to discontinue duplicated service and extend into southeast Austin, but it had not received this permission, as requested on January 23rd by letter. Discussion ensued on routes, the cross-town routes, two to be deleted due to duplication; and four to be extended. Mr. Denius stated the Transit Company was not dropping service where someone did not have service, and that is why they called it duplicated service. He concluded the Company had given the City extremely good service, and it would like to continue that relationship with the City, and accept in good faith the franchise and contract offered to Austin Transit.

Mr. Conwell Smith, one of the owners of Transportation Enterprise, spoke for the Company in the absence of its attorney, on statements made concerning Austin Transit Company's underbidding Transportation Enterprise on the contract for the University, whereas Transportation Enterprise had been low bidder by \$81,000. He asked the City Manager if Transportation Enterprise had given the City any trouble; to which the City Manager stated it had been very cooperative. In answer to Councilman Gage's inquiry, Mr. Smith stated they would be willing to relinquish anything with the exception of the University of Texas contract and that which is particularly authorized to them by the State Railroad Commission. As to the charter service, they would relinquish any charter service within the City of Austin; but they are permitted by State law to travel outside of the City; and that he had no objection to the City's requirement of their having a franchise to operate that service with the University; nor were they opposed to regulation.

Mayor LaRue, noting that no other individuals in the Council Chamber desired to be heard, stated the matter could be extended to give the City Manager an opportunity to discuss this at a later time.

#### REPORT ON CITY INJUNCTION

The City Attorney, Mr. Glenn Cortez, reported Ms. Kazen had implied that the Federal Court had issued a temporary injunction, and the City is free to proceed with acquisition of property, and the State is free to proceed with its plans, as well as the Federal Government. The only limitation imposed at this time is that no one be forcibly displaced until final hearing on the matter is held, which will be sometime about the middle of May. (pertaining to the Clarksville and Mo-Pac area)

#### MINUTES

The Council discussed briefly the manner in which the Minutes of the Meetings should be written. It appeared the consensus of the Council was that the Minutes be summarized in a brief form so that the essence of the meeting could be preserved; that only motions would be recorded; that any requested statement be made a part of the records; and the disposition of the motion and the vote.

## SELECTION OF AUDITOR FOR 1970-1971

The City Manager suggested that the auditors for 1970-71 should be engaged early. Councilman Janes suggested this be placed on the Agenda next week.

## ORDINANCES AND RESOLUTIONS

Councilman Janes referred to the recommendation that all City employees need to know that they act in response to ordinances and resolutions passed by the Council. He stated the City Manager would take care of this.

## ZONING OUT OF A LARGE TRACT

Councilman Johnson noted there was one tract of property zoned "D" Industrial where earlier the whole area had been zoned Industrial shortly after its annexation. (around St. Elmo Road) The City Attorney stated the motion was to cover the area subject to rights of way, and there were a number of parcels which were subject to right of way.

## POLICING DECKER LAKE

Councilman Janes had a communication concerning lack of policing on Decker Lake. The City Manager stated a report would be coming to the Council.

## PARADE ORDINANCE

The City Manager reported a suggested parade ordinance would be ready for the Council by the next meeting. The Council members made several suggestions -- that instead of placing the responsibility on the Police Chief to determine how much additional expense he would have; that the Council consider some kind of a standard fee for parades -- a nominal deposit, rather than one that would be a burden to legitimate parades of wide community interest. Suggestions covered recommendations from the Police Chief to the Council, and fixing a charge based on number of participants.

## REPORT ON BOND RATING

The Council members wanted to hear a report on the New York meeting with the Rating Houses at the next meeting - May 7th.

## DECKER LAKE ZONING

Councilman Gage inquired about status of zoning Decker Lake for skiing, boating, and other events. The City Manager reported this study was under way. The Mayor stated the Council received recommendations from the Navigation Board on activities and developments on the lakes.

## FOOD FOR CHILDREN

Councilman Gage asked the City Manager to explore the Agriculture Lunch Program "Food for Children" discussed at a special session, January 13th (not a Council meeting), and asked that a report be brought in on May 7th. This is a program furnishing food for day camps, day care centers, recreation department activities, and for needs of children not in school. Mayor LaRue concurred as the time was running short for this summer's program.

## FOUNTAIN INSIDE OF GAZEBO BOARDED UP

Councilman Janes reported Women in Construction were distressed because the fountain on the inside of the gazebo is being boarded up.

## MAINTENANCE BY NEIGHBORHOOD OF ISLAND

Councilman Janes inquired about the island where the neighborhood wanted to maintain, but had no water to do so, and he asked the City Manager to check it out and informally let the Council know if action had been taken.

## OPINION ON POST-MEETING DISCUSSIONS

Mayor LaRue asked for clarification on legality of post-meeting discussions, and asked the City Manager to furnish more information on what the Council could discuss. He asked for the City Manager's opinion on the overall question as to what could be handled under "From The Council" and "Reports From The City Manager".

## DISCUSSION OF COUNCIL RULES

Council members discussed establishing rules to govern the procedures of the Council members, taking into consideration there are more appeals coming before the Council; and the citizenry are wanting more, creating a necessity for additional regulations to be promulgated. That suggestion that an hour be set for appeals was good. It would be important to have the rules, and the people to be heard be cognizant of the rules; that specific hours be set for appearances, and a time limit be established.

The City Manager inquired since the Council had been meeting fairly regularly after lunch on Council days, if it would be desirable that all hearings be scheduled for the morning, and have the staff around 2:00 P.M. This appeared to be satisfactory with the Council members.

## ANNEXATION HEARINGS SET

Councilman Price offered the following resolution and moved its adoption:

## (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That a public hearing be held at 10:00 o'clock A.M., in the City Council Chambers of the City of Austin on the 14th day of May, 1970, for the purpose of providing an opportunity for all interested persons to be heard on consideration of the institution of annexation proceedings with respect to the below described property, to-wit:

69.59 acres of land, same being out of and a part of the John Applegait and J. O. Rice Surveys in Travis County, Texas, which 69.59 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southeast corner of Northcape, Section One, a subdivision of record in Book 20 at page 4 of the Plat Records of Travis County, Texas, same being the most westerly northwest corner of the herein described tract of land, same also being a point in the present corporate limit line of the City of Austin as adopted by ordinance dated June 18, 1964, which point of BEGINNING is in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of the north line of Rundberg Lane with the east line of Hansford Drive bears northwesterly 163 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, same being said north line of Rundberg Lane, in a southeasterly direction to a concrete monument on the west line of Teasdale Terrace as dedicated in a deed of record in Volume 2577 at page 51 of the Deed Records of Travis County, Texas, for an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said west line of Teasdale Terrace, N 29° 10' E 946.23 feet to a concrete monument on the westerly prolongation of the north line of an unnamed street as dedicated in said deed of record in Volume 2577 at page 51 of the Deed Records of Travis County, Texas, for an exterior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said north line of said unnamed street and its westerly and easterly prolongations, S 60° 50' E 1,038.61 feet to a concrete monument on the east line of Cloud Drive as dedicated in said deed of record in Volume 2577 at page 51 of the Deed Records of Travis County, Texas, for an exterior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said east line of Cloud Drive, S 29° 06' W 736.00 feet to a concrete monument at the point of curvature of a curve having an angle of intersection of 10° 38', a radius of 1,396.98 feet and a tangent distance of 130.00 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the right an arc distance of 259.26 feet, the longchord of which arc bears S 34° 25' W 258.89 feet to the point of tangency of said curve;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said east line of Cloud Drive, S 39° 44' W 53.55 feet to a concrete monument on the aforesaid north line of Rundberg Lane, for an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said north line of Rundberg Lane, S 54° 13' E 130.00 feet to an iron pin at an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a northerly direction with the following four (4) courses:

- (1) N 39° 33' E 994.00 feet to an iron pin;
- (2) N 60° 02' W 145.60 feet to an iron pin;
- (3) N 29° 06' E 339.82 feet to an iron pin;
- (4) S 78° 08' E 212.75 feet to an iron pin on a curve having an angle of intersection of 22° 32', a radius of 443.49 feet and a tangent distance of 88.28 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the left an arc distance of 43.64 feet, the chord of which arc bears S 09° 03' W 43.62 feet to an iron pin at an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in an easterly direction with the following ten (10) courses:

- (1) S 83° 46' E 115.00 feet to an iron pin;
- (2) N 19° 17' E 58.36 feet to an iron pin;
- (3) N 21° 37' E 84.05 feet to an iron pin;
- (4) N 28° 50' E 539.11 feet to a concrete monument;
- (5) N 14° 10' E 52.30 feet to an iron pin;
- (6) N 51° 50' E 130.00 feet to an iron pin;
- (7) S 38° 10' E 7.00 feet to an iron pin;
- (8) N 51° 50' E 110.00 feet to an iron pin;
- (9) S 38° 10' E 195.00 feet to an iron pin;
- (10) N 50° 14' E 167.89 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 21° 28', a radius of 370.00 feet and a tangent distance of 70.14 feet, for the most northerly northwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve an arc distance of 138.63 feet, the long chord of which arc bears S 50° 30' E 137.83 feet to an iron pin at the point of tangency of said curve;



THENCE, continuing with the proposed corporate limit line of the City of Austin, S 61° 14' E 154.81 feet to an iron pin at the most northerly northeast corner of the herein described tract of land, same being a point in the west line of Cameron Road;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said west line of Cameron Road and its southerly prolongation S 28° 50' W 2,537 feet, more or less, to the southeast corner of the herein described tract of land, same being a point in the south line of Rundberg Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said south line of Rundberg Lane and its westerly prolongation, in a westerly direction to the southwest corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin, as adopted by ordinance dated February 19, 1970;

THENCE, with said present corporate limit line of the City of Austin, as adopted by said ordinance dated February 19, 1970, and the aforesaid ordinance dated June 18, 1964, in a northeasterly direction to the point of BEGINNING.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and directed to cause a notice of such hearing to be published in a newspaper having general circulation in this City and in the area proposed to be annexed, such publication to be made not more than twenty (20) days, nor less than ten (10) days prior to the hearing.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Absent (at the time of the roll call): Councilman Johnson

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That a public hearing be held at 10:00 o'clock A.M., in the City Council Chambers of the City of Austin on the 14th day of May, 1970, for the purpose of providing an opportunity for all interested persons to be heard on consideration of the institution of annexation proceedings with respect to the below described property, to-wit:

24.08 acres of land, same being out of and a part of the J. C. Tannehill League in Travis County, Texas, which 24.08 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument on the present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969, which point of BEGINNING is the southeast corner of Lot 9, Block A, Craigwood, Section One, a subdivision of record in Book 46 at page 26 of the Plat Records of Travis County, Texas, same being the northeast corner of the herein described tract of land, which point of BEGINNING is in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of the west line of Craigwood Drive with the south line of Huntleigh Way bears northwesterly 220 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, S 11° 43' W 1,210.98 feet to a concrete monument at the southeast corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a westerly direction with the following two (2) courses:

(1) N 59° 47' W 1,109.91 feet to a steel pin;

(2) N 24° 10' W 249.35 feet to a concrete monument at the most westerly corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 30° 07' E 126.21 feet to a steel pin at the most westerly northwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, S 60° 43' E 118.41 feet to a steel pin at an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 29° 18' E 604.98 feet to a concrete monument at the northwest corner of the herein described tract of land, same being the southwest corner of Lot 8, Block C, in the aforesaid Craigwood Section One, same being a point in the aforesaid present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969;

THENCE, with said present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969, in an easterly direction to the point of BEGINNING.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and directed to cause a notice of such hearing to be published in a newspaper having general circulation in this City and in the area proposed to be annexed, such publication to be made not more than twenty (20) days, nor less than ten (10) days prior to the hearing.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

## EASEMENTS RELEASED

Councilman Price offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, a certain easement for sanitary sewer purposes was conveyed to the City of Austin by instrument from Vernon Cook, et ux dated September 13, 1958, of record in Volume 1959 at Page 259 of the Deed Records of Travis County, Texas, said easement being out of and a part of the J. A. G. Brooks Survey No. 28 in the City of Austin, Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

## BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said sanitary sewer easement, to-wit:

Being all of that certain strip of land ten (10.00) feet in width, which certain strip of land ten (10.00) feet in width is out of and a part of the J. A. G. Brooks Survey No. 28 in the City of Austin, Travis County, Texas, which certain strip of land ten (10.00) feet in width, together with other easements, was conveyed to the City of Austin by an instrument from Vernon Cook, et ux, dated September 13, 1958, of record in Volume 1959 at Page 259 of the Deed Records of Travis County, Texas, and which strip of land ten (10.00) feet in width is described as Tract No. 4 in said instrument, to which reference is hereby made for all purposes.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

Councilman Price offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, a certain easement for telephone and electric purposes was conveyed to the City of Austin by instrument dated October 2, 1967, of record in Volume 3385 at Page 863 of the Deed Records of Travis County, Texas, and also in a Deed of Correction of record in Volume 3453 at Page 1136 of the Deed Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said telephone and electric easement, to-wit:

Being all that certain telephone and electric easement described in an instrument dated October 2, 1967, of record in Volume 3385 at Page 863 of the Deed Records of Travis County, Texas, and also in a Deed of Correction of record in Volume 3453 at Page 1136 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

#### CONTRACTS AWARDED

The Council awarded contracts as follows:

#### Combustion Controls

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 7, 1970, for Combustion Controls for the Holly Street Power Station, Unit 4 - Contract 423; and,

WHEREAS, the bid of General Electric Company in the sum of \$308,400.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of the Electric Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Electric Company in the sum of \$308,400.00 be and the same is hereby accepted, and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with General Electric Company.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 7, 1970 for Traveling Water Screens for the Holly Street Power Station, Unit No. 4 - Contract 410; and,

WHEREAS, the bid of Rex Chainbelt, Inc. in the sum of \$31,934.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of the Electric Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Rex Chainbelt, Inc. in the sum of \$31,934.00 be and the same is hereby accepted, and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Rex Chainbelt, Inc.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 7, 1970, for Sluice Gates for the Holly Street Power Station, Unit No. 4 - Contract 416; and,

WHEREAS, the bid of Rodney Hunt Company in the sum of \$18,930.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of the Electric Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Rodney Hunt Company in the amount of \$18,930.00 be and the same is hereby accepted, and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Rodney Hunt Company.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

#### ANNEXATION ORDINANCE READ THROUGH 1ST AND 2ND READINGS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 25.27 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Price moved that the ordinance be passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

#### ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 17.10 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, LOCALLY KNOWN AS 1510-1806 CLUBVIEW AVENUE, 5800-6002 RIVERSIDE DRIVE AND 1809-1911 COUNTRY CLUB, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIN DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Mayor LaRue announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOTS 1, 2, 9 AND 10, OF THE JOHN M. EDWARDS ESTATE SUBDIVISION, LOCALLY KNOWN AS 208-214 MONTOPOLIS DRIVE, 211-215 KEMP STREET AND 6201-6215 CLOVIS STREET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Janes moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the third time and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 1-B OF THE WOODWARD INDUSTRIAL SUBDIVISION NO. 2, LOCALLY KNOWN AS 405 EAST BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 36, BLOCK 1, C. R. JOHNS SUBDIVISION, LOCALLY KNOWN AS 1213-1217 COMAL STREET AND 1501 EAST 13TH STREET (PEACH STREET) FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS .

The ordinance was read the first time and Councilman Atkison moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, Price, Mayor LaRue  
Noes: Councilmen Gage, Janes, MacCorkle



Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1, BERKMAN DRIVE ADDITION, SECTION 2, LOCALLY KNOWN AS 1700-1706 PATTON LANE; 6601-6611 BERKMAN DRIVE, FROM "O" OFFICE SECOND HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

The ordinance was read the second time and Councilman Price moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, Price, Mayor LaRue  
Noes: Councilmen Gage, MacCorkle  
Present But Not Voting: Councilman Janes

Mayor LaRue brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 23 AND 24, LYNNDALE SUBDIVISION, SECTION 2, LOCALLY KNOWN AS 1201-1203 WEST 49 1/2 STREET; 4902-4904 GROVER AVENUE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, Price, Mayor LaRue  
Noes: Councilmen Gage, MacCorkle  
Present But Not Voting: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

#### STREET IMPROVEMENTS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5

OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### STREET VACATIONS

After discussion and explanation by the Director of Public Works, the Mayor introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF WHITIS AVENUE, WEST 25TH STREET AND GUADALUPE STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR GAS LINE AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Price

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Price

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilmen Gage, Price

The Mayor announced that the ordinance had been finally passed.

#### RELEASE OF POLICE JURISDICTION OVER CERTAIN VACATED STREETS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RELINQUISHING POLICE JURISDICTION OF TRAFFIC CONTROL OF CERTAIN PORTIONS OF WEST 24TH STREET AND WHITIS AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE AUTHORIZING ISSUANCE OF TWO REPLACEMENT BONDS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, AUTHORIZING THE ISSUANCE OF REPLACEMENT BONDS TO BE ISSUED IN LIEU OF BONDS THAT HAVE BEEN LOST OR DESTROYED; PROVIDING FOR THE EXECUTION AND DELIVERY OF SUCH REPLACEMENT BONDS; ENACTING PROVISIONS INCIDENT AND RELATED THERETO; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### SUBSTANDARD HOUSES RECOMMENDATIONS FROM BUILDING STANDARDS COMMISSION

Councilman Janes moved that the recommendation of the Building Standards Commission be upheld on the following:

Bettie Colman  
1146 Northwestern

- The the structure located on this lot be declared a public nuisance by the City Council; That the owner of such property be given thirty days from March 11, 1970, in which to demolish the structure and clean the premises; That upon expiration of the thirty day period, the owner has failed to demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; That upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

John Joseph  
1007 Lambie

- That the structure located on this lot be declared a public nuisance by the City Council; That the owner of such property be given sixty days from February 11, 1970, in which to repair or demolish the structure and clean the premises; That after expiration of the sixty day period, the owner has failed to repair or demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; That upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

Mrs. Sylvia Taylor  
508 Kemp

- That the structure located on this lot be declared a public nuisance by the City Council; That the owner of such property be given sixty days from February 11, 1970, in which to demolish the structure and clean the premises; That upon expiration of the sixty day period, the owner has failed to demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; That upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

## Postponement

MR. JOE OSBORN, represented MR. PAUL RAGSDALE on his property with four houses, asking postponement until Mr. Ragsdale, who is ill, could sell the property. The Building Official, MR. DICK JORDAN, showed photographs of the buildings, reviewed the history of these structures which had been moved on the lot, and the problems they were causing. Additional time had been extended by the Building Standards Commission, and that time had expired with no repair work having been started.

After extensive discussion, Councilman Atkison moved that the present owner be required to board up the property immediately, or indicate his intent to have it demolished; that he be given 60 days to sell and transfer this property at a legitimate sale, and the new owner be given the following 30 days to have in full operation the remodeling; and if no action had been taken that the Law Department take proper legal disposition 90 days from this date on the three properties on 6723 to 6725 Burnet Road; and that these requirements be recorded in the deed records. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor noted it was also stated that a burglar alarm system would be placed on these buildings, and he asked that note be made of this assertion.

## APPEAL FROM SOLICITATION BOARD

MAYOR LaRUE called the item of Appeal from the Solicitation Board by MS. BARBARA KAZEN, attorney for the Community United Front. DR. JOHN BARCLAY, regarding food programs, listed the numerous schools in Austin that had lunch room facilities properly supervised, and food properly prepared for children; the number of day care centers, and sewing and cooking training taught by skilled instructors. MS. KAZEN was not present at this time. CHERYL GREEN, Crockett High School, made inquiry about food for children not in school. The Mayor made available a copy to her of a comprehensive food program.

As to appeals, Councilman Johnson suggested that the City Manager set a certain date and a definite hour on future appeals and hearings.

Councilman MacCorkle moved that the Council uphold the recommendation of the Solicitation Board. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: Councilman Gage

Councilman Gage made the statement that by this vote he was not voting for the program, but he did not think the vote should be taken at this time.

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Later in the meeting, MS. BARBARA KAZEN, attorney for Community United Front, appeared on the appeal from the Solicitation Board. It was announced

April 30, 1970

H82

this item had been called, no one responded, and the Council upheld the Solicitation Board in its recommendation. Ms. Kazen, in District Court, could not be present at the time, and wished to be heard now.

Councilman Janes moved that the Council reconsider the vote taken previously and to hear both sides at 2:00 P.M. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue  
Noes: Councilmen Johnson, MacCorkle

.....

At 2:00 P.M., Mayor LaRue opened the hearing on appeal by BARBARA KAZEN, attorney for Community United Front, regarding the denial of a solicitation permit. The Council set 50 minutes for this discussion.

MS. KAZEN announced the Community United Front was appealing the denial by the Solicitation Board for a solicitation permit. She displayed a certificate of incorporation dated 1-12-1970, and stated the purpose of the Corporation. She pointed out their disagreement with the findings of the Solicitation Board's decision based on Section 8-4(b) (character); 8-3(7) (methods by which the solicitation is to be accomplished); 8-4(g) and (h) (finances). The \$700 appropriated for salaries is less than 25% of the projected amount to be raised (\$3,678.00 per month). A financial statement from September through March was available. Their income was \$5,293.56; the expenses were \$5,499.36. In summary, Ms. Kazen stated the solicitation permit for a charitable purpose met the legal requirements; and if Larry Jackson is denied as an officer of the Community United Front, and if the Community United Front is denied a solicitation permit, it would be a violation of their rights of equal protection. She then called on character witnesses of the officers of the corporation and the need for the work the corporation is doing to meet the solicitation permit.

DR. JARED HAZELTON, Economist, reviewed his part in checking the budget, briefly described the program and other activities, and spoke on behalf of Larry Jackson. MRS. VIRGINIA FREEMAN, MRS. MARILYN JASON, MRS. OLA MAE ROBERTS, MRS. VELMA ROBERTS, MRS. CARLENE JOHNSON, mothers with children in the Breakfast Program, spoke in Mr. Jackson's behalf; children in the program made short statements about the activity. MS. KAZEN read a letter dated December 29, 1969, from Mr. Charles Miles, commending Mr. Jackson on his program. MRS. ALEXANDER SACKTON helper at the breakfast program and in transportation; MR. HERMAN T. SCROOGE, Houston, discussed the day care program, and both spoke in behalf of Mr. Jackson.

DR. JOHN BARCLAY reviewed the lunch program as carried on in 72 public schools; eleven schools all together are feeding more than 2300 children breakfast every morning - free if they cannot pay; ten cents if they can. These breakfasts are in the school where the students attend, providing more convenience to the parents and children. He stated 12 junior high schools in Austin had classes of home economics under instructors with degrees. There are 80 day nursery schools, 20 located in East Austin. Twelve are funded by the OEO, and there 498 children in those 12 schools, and not a single parent has to pay a thing for their care. Dr. Barclay stated that what Mr. Jackson is planning to do is already being done, and he favored trying to enlarge the program the way the public schools are carrying it out.

Mrs. Mary Sanger, Social worker, stated there was no free day care center in Austin for children under five years of age, and this is a program that Mr. Jackson is offering. Mr. Frank Horsfeld stated there were mistaken ideas about the program and sponsor; that it is a good program.

Councilman MacCorkle stated in any program which the Council might approve, it would have to consider the qualifications of those who direct it. Child care and Child welfare is important to all, and it should be under the direction of personnel that is trained and qualified. Qualified people must conduct these programs. Standards for operation of kindergartens and childcare facilities relating to sanitation, safety, health, requirements for personnel, were discussed by the Council. It was mentioned if this breakfast had anything to do with reductions in payments to those receiving some sort of assistance. Councilman MacCorkle inquired if there were an educational program. Ms. Kazen stated several professors were interested in instituting some sort of education in history of the black people. Transportation of the children was discussed. Ms. Kazen stated these programs had been in operation through volunteers, and contributions through the mail without solicitation.

Councilman Janes moved that the Council sustain the ruling of the Solicitation Board. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

#### ACQUISITION OF PROPERTY

Councilman Price moved that the Council authorize the acquisition of the following property for the Mo-Pac Right-of-Way:

1003 Winsted Lane	-	average of appraisals
1410 Newfield Lane	-	average of appraisals
2004 Sunset Avenue	-	average of appraisals
2011 Lake Austin Blvd.	-	average of appraisals
606 Theresa	-	average of appraisals

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Council deferred action on acquiring the property at 712 Theresa Avenue for the right of way of Missouri Pacific Boulevard until a later date.

#### DEFERMENT OF ORDINANCE ON VEHICLES FOR HIRE

Mr. Hardy Hollers, associated with Mr. Robert Sneed, as representatives of taxicab operators asked postponement of the consideration of this complicated ordinance to permit more study. After brief discussion, Councilman Johnson moved that this item be postponed, relating to Vehicles for Hire, until 10:00 A.M., May 21st. The motion, seconded by Councilman Janes, carried by the



following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

#### PUBLIC ANNEXATION HEARING

It being time the hearing was scheduled on annexation of land on Stassney Lane, west of South Congress Avenue, the Mayor opened the hearing. No one appeared to be heard. Councilman Janes moved that the hearing be closed and the Administration be directed to institute annexation proceedings on the following:

2.38 acres of unplatted land out of the William  
Cannon League. (Stassney Lane, west of South  
Congress Avenue) (requested by owner)

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

#### APPOINTMENTS TO BOARDS

The Council discussed making appointments to various boards where there were expiring terms. It was suggested that the Council members be prepared by the following week, May 7th.

#### ADJOURNMENT

The Council adjourned.

APPROVED:

\_\_\_\_\_  
Mayor

ATTESTED:

\_\_\_\_\_  
City Clerk